

MINUTES
CITY COUNCIL CHAMBERS, CITY HALL
29592 ELLENSBURG AVE
GOLD BEACH OR 97444
JULY 29, 2008 @ 12:15 P.M.
EXECUTIVE SESSION PER ORS 192.660(1)(a)
SPECIAL MEETING TO FOLLOW EXECUTIVE SESSION

POPOFF CALLED THE EXECUTIVE SESSION TO ORDER AT 12:16 P.M.

THE PLEDGE OF ALLEGIANCE:

ROLL CALL:

	<u>PRESENT</u>	<u>ABSENT</u>
Mayor Karl Popoff	X	
Council Position #1 Sue Johnson	X	
Council Position #2 Don Flynn	X	
Council Position #3 Peter Peterson	X	
Council Position #4 Vacant		
Council Position #5 David Alexander		X

SPECIAL ORDERS OF BUSINESS:

POPOFF:-> This Executive Session has been called per ORS 192.660 (1)(a) to consider the employment of a public officer, employee, staff member or individual agent

A discussion ensued regarding applicants for the City Administrator.

ADJOURNED AT 12:35 P.M.

POPOFF CALLED THE SPECIAL SESSION TO ORDER AT 12:35 P.M.

Filling City Administrator Position

MOTION:-> Peterson moved to offer the position of City Administrator to Elliot Schwarz @ 25 hours per week, \$25 per hour, with a start date as soon as possible but no later than August 11, 2008, second by Flynn. Councilors Johnson, Flynn and Peterson voted "AYE". VOTE: 3 AYES 1 ABSENT

A brief recess was held to call Alexander and give him time to arrive for the last portion of the special session. Councilor Alexander arrived at 12:45 P.M. for the special session.

The special session to undertake emergency action was called on less than 24-hours notice due to the City's need to act immediately to get the bidding process underway to allow completion of the Culvert Crossing project.

RESOLUTION R0809-2 (A)

A RESOLUTION DECLARING THAT EMERGENCY CIRCUMSTANCES
EXIST REQUIRING IMMEDIATE PUBLIC CONTRACTING TO
REPAIR CULVERT CROSSING

Popoff stated the reasons for this emergency situation are as follows:

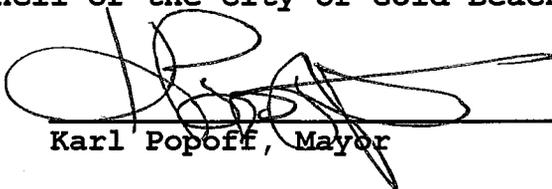
- a. The emergency arose because the funding for the project was delayed by an internal reorganization at the funding agency, OECDD. Funding was awarded on July 14. The US Army Corps of Engineers permit for the project only allows the work to be completed between July 15 and September 30 of this year. The normal advertised bid process would take at least 6 weeks and construction is anticipated to take an additional 4 weeks to complete.
- b. The culvert work needs to be completed prior to starting work on the wastewater treatment system improvements. If the City has to wait until July 15, 2009 to start the culvert, the wastewater improvements would be delayed about 5 months. The wastewater plant is in very poor condition, and the delay would increase the chance of a sewer spill.
- c. Construction documents would be sent to six contractors that are pre-qualified for such projects or have completed similar work for the City in the past. The contractor that submits the lowest qualified bid would be awarded the project. The contractors would be allowed 10 days to submit bids.

MOTION:-> Peterson moved to approve Resolution R0809-2, second by Flynn. Johnson, Flynn, Peterson and Alexander voted "AYE".

VOTE: 4 AYES

ADJOURNED AT 12:55 P.M.:

Passed by the City Council of the City of Gold Beach on August 11, 2008.



Karl Popoff, Mayor

ATTEST:



Shirley Walker, Recorder

RESOLUTION R0809-2

**A RESOLUTION DECLARING THAT EMERGENCY
CIRCUMSTANCES EXIST REQUIRING IMMEDIATE PUBLIC
CONTRACTING TO REPAIR CULVERT CROSSING**

RECITALS:

The City of Gold Beach recognizes that:

1. The State of Oregon awarded funding for the City's Culvert Crossing repair project on July 14, 2008, unexpectedly late due to internal circumstances at the funding agency. The delay in authorization could not reasonably have been foreseen by the City of Gold Beach.
2. The U.S. Army Corps of Engineers' permit for the project allows the repair work to be completed only between July 15 and September 30, 2008. This is not sufficient time for the normal advertised bid process to run its course, and allow the work to be completed on time.
3. Failure to complete the Culvert Crossing repair this year would create a substantial risk of loss, damage or interruption of services. Wastewater improvements would be delayed at least five months or more, the wastewater plant is in very poor condition and the delay would increase the chance of a sewer spill.

NOW, THEREFORE BE IT RESOLVED:

The City of Gold Beach declares that due to the above circumstances, emergency conditions exist that require prompt execution of a public contract to complete the Culvert Crossing repair project.

BE IT FURTHER RESOLVED:

The City of Gold Beach will take reasonable steps under the circumstances to bid the Culvert Crossing repair project on a competitive basis, to wit: the City will send construction documents to six contractors that are prequalified for projects of similar type or have completed similar work for the City in the past; the contractors will be permitted ten days to submit bids; and the contractor that submits the lowest qualified bid will be awarded the project.

APPROVED BY THE GOLD BEACH CITY COUNCIL ON JULY 29, 2008.

Karl Popoff, Mayor

ATTEST:



Shirley Walker, Recorder